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Attorney for Plaintiff

**\*ORDER E-FILED ON 10/12/05\***

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

PAUL CASAREZ,  
Plaintiff,

vs.

COUNTY OF SAN BENITO and  
SHERIFF CURTIS HILL,  
Defendants.

Case No. CV 04-03658 HRL

**STIPULATED MOTION TO  
CHANGE TRIAL DATE;  
SUPPORTING DECLARATION;  
ORDER**

The parties hereto, by and through their undersigned attorneys of record, hereby bring this stipulated motion to advance the trial date herein from February 21, 2005 to February 6, 2005, or continue it to February 27, 2005 or March 6, 2005 or March 13, 2005 or to the next available date convenient to the court and the parties. This motion is based on the declaration hereinbelow.

DATED: October 7, 2005

DATED: October 7, 2005

*/s/ Michael E. Adams*

*/s/ Michael C. Serverian*

MICHAEL E. ADAMS  
Attorney for Plaintiff  
PAUL CASAREZ

MICHAEL C. SERVERIAN  
Attorney for Defendants  
COUNTY OF SAN BENITO and  
SHERIFF CURTIS HILL

**SUPPORTING DECLARATION**

I, MICHAEL E. ADAMS, hereby declare:

1. I am the attorney of record herein for Plaintiff Paul Casarez.

2. On September 16, 2005, I joined in a stipulation to continue the trial to a date in or about February, 2006, and the court thereafter ordered the trial continued to February 21, 2006. However, in entering the stipulation, I forgot that my wife and I have a previously scheduled out-of-state pre-paid vacation from February 21 to February 26, 2006. My wife reminded me earlier this week of our planned vacation, and I promptly apprised Mr. Serverian of this scheduling conflict and obtained his agreement to join in this stipulated motion to further change the trial date.

I declare under penalty of perjury that the foregoing is true and correct. Signed this 7<sup>th</sup> day of October, 2005 in Redwood City, CA.

*/s/ Michael E. Adams*

MICHAEL E. ADAMS

**ORDER**

Good cause appearing,

IT IS HEREBY ORDERED as follows:

1. The trial date herein shall be ☒ advanced from February 21, 2006 to February 6, 2006

~~by continued from February 21, 2006 to xxxxxxxxxxxxxxxxxxxxxxxxx2006xx~~

2. The pretrial conference shall ~~remain as set on February 14, 2006 at 1:30 pm.~~ ☒ be reset for January 31, 2006 at 1:30 ~~a~~oclock p.m.

3. The last hearing date for dispositive motions shall ☒ remain as set on December 6, 2005 at 10:00 a.m. ~~by be reset for xxxxxxxxxxxxxxxxxxxxxxxxx2006xx at xxxxxxxxxxxxxxxxx~~

DATED: October 12, 2005

*/s/ Howard R. Lloyd*

MAGISTRATE JUDGE HOWARD R. LLOYD